

## SUBSTITUTE TRUSTEE'S DEED

On the 7<sup>th</sup> day of April, 2006, **Mark Matthews Development, LLC, A Tennessee Limited Liability Company**, executed to Lancelot L. Minor, III, as Trustee, to Cadence Bank, as beneficiary, a certain Deed of Trust recorded in the Chancery Clerk's Office of DeSoto County, Mississippi, in **Book 2449, Page 287**; and

WHEREAS, on the 24<sup>th</sup> day of September, 2007, a Substitution of Trustee was filed substituting for Lancelot L. Minor, III, and in his place and stead, T. Robert Abney or Robert F. Uhlmann, Substitute Trustees, which Substitution of Trustee was filed in the Chancery Clerk's Office of DeSoto County, Mississippi, in **Book 2793, Page 640**.

The property is known as **Lots 127, 128, 132, 133, 136, 141, 142, and 144, Section C, Rosebury Subdivision, Southaven, Mississippi**, and is fully set forth and described hereafter.

The obligor defaulted in the payment of the debts and obligations secured by the Deed of Trust and the holder of the note evidencing such obligation requested the undersigned to advertise and sell the property conveyed thereby, according to the terms of the Deed of Trust, and in accordance with such request, the property was advertised for sale in DeSoto Times, which is a daily newspaper published in DeSoto County, Mississippi, for four (4) consecutive weeks, such advertisement appearing on October 11, October 18, October 25 and November 1, 2007. Such advertisement gave the time, terms, place of sale and description of the property and at the time set out which was **Tuesday, November 6, 2007**, during the legal hours (between the hours of 11:00 a.m. and 4:00 p.m.), pursuant to the sale notice and at the place mentioned in the advertisement which was at the East front door of the DeSoto County Courthouse, located in Hernando, Mississippi, and at which time the said property was offered for sale, at public outcry to the highest and best bidder for cash, at which sale the property was struck off and sold to **Cadence Bank, N.A.**, at and for the sum of Two Hundred Eighty Thousand and 00/100 (\$280,000.00) Dollars which was the highest and best valid bid offered, and the purchaser, **Cadence Bank, N.A.**, has complied with its bid by payment of such sum to the Substitute Trustee.

NOW, THEREFORE, the undersigned, T. Robert Abney, Substitute Trustee, does hereby bargain, sell, and convey unto the said **Cadence Bank, N.A.**, subject to any prior Deeds of Trust, real estate taxes, assessments, liens, and easements of record, the property above mentioned and now more fully described as follows:

Lots 127, 128, 132, 133, 136, 141, 142, 144, Section C, Rosebury Subdivision, Section 10, Township 2 South, Range 7 West, as shown on plat of record in Plat Book 97, Page 28 in the Chancery Clerk's Office of Desoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

Lot 127

Parcel No.: 2072101400012700

Lot 128

Parcel No.: 2072101400012800

Lot 132

Parcel No.: 2072101400013200

Lot 133

Parcel No.: 2072101400013300

Lot 136

Parcel No.: 2072101400013600

Lot 141

Parcel No.: 2072101400014100

Lot 142

Parcel No.: 2072101400014200

Lot 144

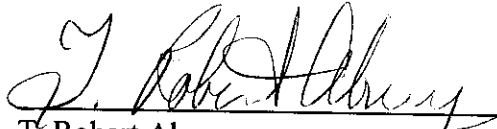
Parcel No.: 2072101400014400

11/16/07 11:26:25 SS  
BK 572 PG 770  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

The said T. Robert Abney, Substitute Trustee, hereby warrants the title to the above described property against the lawful claims of all persons claiming the same by, through or under him, but not further or otherwise.

The proceeds of sale have been disbursed as required by law.

IN WITNESS WHEREOF, the said T. Robert Abney, Substitute Trustee, has hereunto set his hand this 7<sup>th</sup> day of November, 2007.

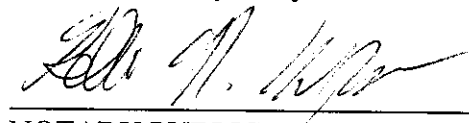
  
T. Robert Abney  
Substitute Trustee

**STATE OF TENNESSEE**

**COUNTY OF SHELBY**

On this 7<sup>th</sup> day of November, 2007, before me, a Notary Public in and for the State of Tennessee and County of Shelby, duly commissioned and qualified, personally appeared T. Robert Abney, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes stated therein.

WITNESS my hand and Notarial Seal at office the day and year above written.

  
NOTARY PUBLIC

My Commission Expires:

My Comm Exp July 27, 2011




**AFFIDAVIT OF VALUE**


**STATE OF TENNESSEE**

**COUNTY OF SHELBY**

I hereby swear or affirm that to the best of the affiant's knowledge, information, and belief, the actual consideration for the transfer or value of the property transferred, whichever is greater, is Two Hundred Eighty Thousand and 00/100 (\$280,000.00) Dollars, which amount is equal to or greater than the amount which the property transfer would command at a fair and voluntary sale.

  
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7<sup>th</sup> day of November, 2007.

  
NOTARY PUBLIC

My Commission Expires:

My Comm Exp July 27, 2011



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**FOR REGISTER'S USE ONLY**

Owner: Cadence Bank, N.A.  
7878 Farmington Blvd.  
Germantown, TN 38138

Property known as: Lots 127, 128, 132, 133, 136, 141, 142, and 144  
Section C, Rosebury Subdivision  
Southaven, Mississippi

Parcel No.: Lot 127  
Parcel No.: 2072101400012700

Lot 128  
Parcel No.: 2072101400012800

Lot 132  
Parcel No.: 2072101400013200

Lot 133  
Parcel No.: 2072101400013300

Lot 136  
Parcel No.: 2072101400013600

Lot 141  
Parcel No.: 2072101400014100

Lot 142  
Parcel No.: 2072101400014200

Lot 144  
Parcel No.: 2072101400014400

Send Tax Notices to: Cadence Bank, N.A.  
*Gaulee* 7878 Farmington Blvd.  
Germantown, TN 38138  
*PINA*

# PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**Diane Smith** personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

**SUBSTITUTE TRUSTEE'S SALE**  
Default having been made in the payment of the debt and obligations secured by a deed in a certain deed of trust executed the 7th day of April, 2006, by Mark Matthews Development, LLC, A Tennessee Limited Liability Company, to Lancelot L. Minor, III, as Trustee, with Cadence Bank, its beneficiary, as same appears of record in the Chancery Clerk's Office of DeSoto County, Mississippi, in Book 2449, Page 287, and T. Robert Abney or Robert F. Uhlmann of Shelby County, Tennessee were substituted in the place and stead of Lancelot L. Minor, III, as Substitute Trustee in Book 2723, Page 640 in said Chancery Clerk's Office, and the holder of the note, Cadence Bank, the owner of the debt secured having requested the undersigned to advertise and sell the property described in and conveyed by said Deed of Trust, all of the said indebtedness being referred to herein, at the payment of a part thereof, at the option of the owner, this is to give notice that T. Robert Abney or Robert F. Uhlmann, Substitute Trustee, will on October 11, 2007, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the front door of the DeSoto County Courthouse, located in Hernando, Mississippi, proceed to sell at public outcry to the highest and best bidder for cash, the following described property, situated in the County of DeSoto and the State of Mississippi, to-wit:

Lot 127, 128, 132, 133, 136, 138, 141, 142, 144, Section C, Rosebury Subdivision, Section 10, Township 2 South, Range 7 West, as shown on plat of record in Plat Book 87, Page 29 in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

Lot 137  
Parcel No.: 2072101400012709  
Lot 138  
Parcel No.: 2072101400012809  
Lot 139  
Parcel No.: 2072101400012909  
Lot 133  
Parcel No.: 2072101400013308  
Lot 136  
Parcel No.: 2072101400013600  
Lot 138  
Parcel No.: 2072101400013808  
Lot 141  
Parcel No.: 2072101400014100  
Lot 142  
Parcel No.: 2072101400014200  
Lot 144  
Parcel No.: 2072101400014400  
Properties also known as: Multiple

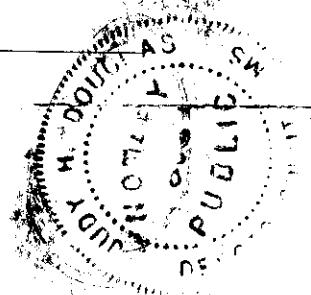
Volume No. 112 on the 11 day of Oct., 2007  
Volume No. 112 on the 18 day of Oct., 2007  
Volume No. 112 on the 25 day of Oct., 2007  
Volume No. 112 on the 1 day of Nov., 2007  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2007  
Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2007

*Diane Smith*

Sworn to and subscribed before me, this 1 day of Nov., 2007

BY *Judy H. Douglas*

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2009  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



A. Single first insertion of 532 words @ .12 \$ 63.84  
B. 3 subsequent insertions of 1596 words @ .10 \$ 159.60  
C. Making proof of publication and depositing to same \$ 3.00  
TOTAL PUBLISHER'S FEE: \$ 226.44

**Let in Mortgage Substitution.**  
**OTHER INTERESTED PARTIES:**  
All right and equity of mortgage, including all interest, principal and power and expressly waived in said Deed of Trust, and the title is believed to be good, but T. Robert Abney or Robert F. Uhlmann, Substitute Trustee, will sell and convey only as Substitute Trustee, subject to any prior deeds of trust, real estate taxes, assessments, liens and encumbrances of record. The proceeds from the sale of the above-described property shall be applied in accordance with the provisions of the above described Deed of Trust.  
The right is reserved to adjourn the day of the sale to another day, time and place certain without further publication, upon announcement at the time and place for the sale set forth above.  
By: T. Robert Abney  
T. Robert Abney  
Substitute Trustee  
By: Robert F. Uhlmann  
Robert F. Uhlmann  
Substitute Trustee  
Cochran, Uhlmann, Abney, Duck & Wright  
By: Charles D. Wright  
Charles D. Wright  
Attorney at Law  
Publication Dates:  
October 11, October 18, October 25 and November 1, 2007

reet - On the Square- Hernando, MS 38632 • 662.429.5227 Fax: 662.429.5229